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#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2 290 BROADWAY NEW YORK, NY 10007-1866

# FEB 0 6 2017

# **CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Article Number: 7016 2070 0001 1397 3737

Ronald Goldman, Village of Administrator Village of Lawrence 196 Lawrence Ave. Lawrence, New York 11519

Re:

Request for Information, Section 308 of the Clean Water Act ("CWA")

Village of Lawrence

Docket No. CWA-IR-17-019

Municipal Separate Storm Sewer System Permits NYR20A336

EPA Compliance Evaluation Outfall Reconnaissance Inspection September 14, 2016

Dear Mr. Goldman:

The purpose of this Request for Information ("RFI") letter is to require you to submit information related to the Municipal Separate Storm Sewer System ("MS4") for the Village of Lawrence to the United States Environmental Protection Agency ("EPA").

The Village of Lawrence is regulated by the New York State Department of Environmental Conservation ("NYSDEC") Phase II stormwater program which regulates small MS4s. Through the New York State Pollution Discharge Elimination System ("SPDES") program, NYSDEC's current General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) (GP-0-15-003) ("Permit") NYR20A336 became effective on May 1, 2015 and expires on April 30, 2017. The current MS4 permit is available at http://www.dec.ny.gov/docs/water pdf/ms4permit.pdf.

Section 308(a) of the CWA, 33 U.S.C. § 1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. § 1311, the EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the CWA, EPA may require the submission of information necessary to assess the compliance status of any facility/site and its related appurtenances. Therefore, pursuant to the authority vested in the Administrator of EPA under Section 308(a) of the CWA, 33 U.S.C. § 1318(a), which authority has been duly redelegated to the undersigned, it is hereby requested that you provide the information requested in the "REQUEST FOR INFORMATION" section below.

On September 14, 2016, representatives of the EPA conducted a Compliance Evaluation Outfall Reconnaissance Inspection ("CEI") at the subject MS4 to visit all of the Village's MS4 outfalls and assess the dry weather discharges. The inspection report contains a Potential Non Compliance Item related to a chlorinated pool cleaning discharge which is not authorized under the MS4 Permit and Area(s) of Concern that require further evaluation and follow up.

# REQUEST FOR INFORMATION

The Village of Lawrence is hereby required, pursuant to the authority contained in Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a) to submit the following information <u>within</u> 45 calendar days of receipt of this RFI:

- Respond to the Potential Non Compliance Item and Areas of Concern in the attached inspection report along with how each was corrected and approximate date that it was or will be corrected.
- 2. Report on how the Village of Lawrence enforces the prohibition against chlorinated pool water discharges contained in Part I.A.2 of the MS4 Permit. Also, if not included in the response above please explain how the Village handled this specific instance of chlorinated discharge associated with Advanced Pool Cleaning Services.

# **CERTIFICATION**

Any documents to be submitted must be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 C.F.R. § 122.22), and shall include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

All information required to be submitted by this request shall be sent by registered mail or its equivalent to the following address:

Nicole Kraft, Acting Chief Water Compliance Branch U.S. Environmental Protection Agency, Region 2 290 Broadway, 20th Floor New York, New York 10007 Attn: Murray Lantner Failure to provide the required information may subject the facility to penalties pursuant to Section 309 of the CWA. Failure to comply with the RFI shall also subject the facility to ineligibility for participation in work associated with Federal contracts, grants or loans. Should you have any questions regarding this request, feel free to contact Murray Lantner at (212) 637-3976 or via e-mail at <a href="mailto:lantner.murray@epa.gov">lantner.murray@epa.gov</a>.

Sincerely,

Nicole Kraft, Acting Chief Water Compliance Branch

hude de

cc: Joseph DiMura, P.E., Director, Bureau of Water Compliance Programs, NYSDEC

Tony Leung, P.E., Regional Water Engineer, NYSDEC Region 1

	ental Protection Agency D.C. 20460		
Water Compliance		ort	
			Disease in Transpolice care
Transaction Code NPDES	al Data System Coding (i.e yr/mo/day	Inspection Type	Inspector Fac Type
1 2 5 3 N Y R 2 0 A 3 3 6 11 12		18 C	Inspector Fac Type 19 R 20 1
21		11111111	
Inspection Work Days Facility Self-Monitoring Evaluation Rating 70 67 69 70 69	BI QA 71 72	7374 75	Reserved 
Sect	tion B: Facility Data	t	and the second
Name and Location of Facility Inspected (For industrial users discrinclude POTW name and NPDES permit number)	narging to POTW, also	Entry Time/Date	Permit Effective Date
Village of Lawrence - 196 Lawrence Ave., La SPDES/ICIS No. NYR20A336		9/14/16, 9:30AM	5/1/15
SIC Code: 4952		Exit Time/Date	Permit Expiration Date
The state of the s		2:00PM	4/30/17
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Num	nber(s)	Other Facility Data (e.g	., SIC NAICS, and other
Robert Daniels, Superintendent of		MS4 Permit	sales of and an arrange of the sales of the
Gerry Castro, Deputy Administrato 239-4600 ext 1031	or, 516		
233 1000 GAC 1031		L 2 57110	er a et gypt Starr
Name, Address of Responsible Official/Title/Phone and Fax Numb	er .		State of the state
  Ronald GoldmanVillage of Lawrence	Contacted  Yes No	in the cross set in	Cotton 12 Facility Type
196 Lawrence Ave. Lawrence NY, 11		The Art of the	
,		Notes to the	
Section C: Areas Evaluated Durir	na Inspection (Check only	those areas evaluated	d)
Permit   ✓ Self-Monitoring Pro		1	
Records/Reports Compliance Sched	dules Pollution Pre	vention	
Facility Site Review Laboratory	✓ Storm Water		
✓ Effluent/Receiving Waters Operations & Main		ewer Overflow	
Flow Measurement Sludge Handling/D	Disposal Sanitary Sew	ver Overflow	Column L. Fe day Evingatio
Section D: Sur (Attach additional sheets of narrative and che	mmary of Findings/Comm	ents vent Violation codes, a	as necessary)
SEV Codes SEV Description	Chlorinat	ed poolwater	discharge
		S4 outfall 5	
	Tadional Broggist		mari an alberta mendelet
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	22 natural #5 speek 12 no.		
t , y amoto pus natio certain rés			
The state of the s			
Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and F	ax Numbers	Date
Murray Lantner, P.E. Env. Eng.	EPA/DECA-WCB/	(212)6373976	1/3//12
Marrissa Abbruscato, Life Scientist	EPA/DECA-WCB/	(212) 6374293	1/31/17
in the second of the second to the second example of the second ex	The Distriction Art Code	er e	M. Royl Chalangers A
Signature of Management Q A Reviewer	Agency/Office/Phone and F	ax Numbers	Date
Justine Modigliani, P.E., Chief, Compliance Section	EPA/DECA-WCB/(	212) -637-4268	43/17

#### INSTRUCTIONS

#### Section A: National Data System Coding (i.e., PCS)

Column 1: Transaction Code: Use N, C, or D for New, Change, or Delete. All inspections will be new unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number - third character in permit number indicates permit type for U=unpermitted, G=general permit, etc.. (Use the Remarks columns to record the State permit number, if necessary.)

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 04/10/01 = October 01, 2004).

**Column 18: Inspection Type\*.** Use one of the codes listed below to describe the type of inspection:

Α	Performance Audit	U	U Inspection with Pretreatment Audit	1	Pretreatment Compliance (Oversight)
В	Compliance Biomonitoring Compliance Evaluation (non-sampling)	X 7	Toxics Inspection Sludge - Biosolids	@	Follow-up (enforcement)
D	Diagnostic	#	Combined Sewer Overflow-Sampling	{	Storm Water-Construction-Sampling
F G	Pretreatment (Follow-up) Pretreatment (Audit)	\$	Combined Sewer Overflow-Non-Sampling Sanitary Sewer Overflow-Sampling	}	Storm Water-Construction-Non-Sampling
I	Industrial User (IU) Inspection	&	Sanitary Sewer Overflow-Non-Sampling	:	Storm Water-Non-Construction-Sampling
J	Complaints	/	CAFO-Sampling CAFO-Non-Sampling	~	Storm Water-Non-Construction-
M N	Multimedia Spill	2	IU Sampling Inspection	- !	Non-Sampling Storm Water-MS4-Sampling
0	Compliance Evaluation (Oversight)	3	IU Non-Sampling Inspection IU Toxics Inspection		Storm Water-MS4-Non-Sampling
R	Pretreatment Compliance Inspection Reconnaissance	5	IU Sampling Inspection with Pretreatment	>	Storm Water-MS4-Audit
S	Compliance Sampling	6 7	IU Non-Sampling Inspection with Pretreatment IU Toxics with Pretreatment		

#### Column 19: Inspector Code. Use one of the codes listed below to describe the lead agency in the inspection.

A — B —	State (Contractor) EPA (Contractor) Corps of Engineers	O— Other Inspectors, Federal/EPA (Specify in Remarks columns) P— Other Inspectors, State (Specify in Remarks columns) R— EPA Regional Inspector
J —	Joint EPA/State Inspectors—EPA Lead Local Health Department (State) NEIC Inspectors	S— State Inspector T— Joint State/EPA Inspectors—State lead

#### Column 20: Facility Type. Use one of the codes below to describe the facility.

- Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952.
- 2 Industrial. Other than municipal, agricultural, and Federal facilities.
- 3 Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
- 4 Federal. Facilities identified as Federal by the EPA Regional Office.
- Oil & Gas. Facilities classified with 1987 SIC 1311 to 1389.

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as followup on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

#### Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, other updates to the record, SIC/NAICS Codes, Latitude/Longitude).

#### Section C: Areas Evaluated During Inspection

Check only those areas evaluated by marking the appropriate box. Use Section D and additional sheets as necessary. Support the findings, as necessary, in a brief narrative report. Use the headings given on the report form (e.g., Permit, Records/Reports) when discussing the areas evaluated during the inspection.

#### Section D: Summary of Findings/Comments

Briefly summarize the inspection findings. This summary should abstract the pertinent inspection findings, not replace the narrative report. Reference a list of attachments, such as completed checklists taken from the NPDES Compliance Inspection Manuals and pretreatment guidance documents, including effluent data when sampling has been done. Use extra sheets as necessary.

\*Footnote: In addition to the inspection types listed above under column 18, a state may continue to use the following wet weather and CAFO inspection types until the state is brought into ICIS-NPDES: K: CAFO, V: SSO, Y: CSO, W: Storm Water 9: MS4. States may also use the new wet weather, CAFO and MS4 inspections types shown in column 18 of this form. The EPA regions are required to use the new wet weather, CAFO, and MS4 inspection types for inspections with an inspection date (DTIN) on or after July 1, 2005.

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 2, DECA-WCB

20th Floor, 290 Broadway, New York, NY 10007

Compliance Evaluation Inspection: Village of Lawrence, MS4, Outfall ReconnaissanceInspection Date:EPA Representative(s):September 14, 2016Murray Lantner, P.E. Environmental Engineer, USEPA Region 2,

**Inspection Time:** (212) 637-3976, lantner.murray@epa.gov 9:10 AM – 2:00 PM

Marissa Abbruscato, Life Scientist, USEPA Region 2, (212) 637-4293

**On-Site Representative:** 

Robert Daniels, Superintendent of Public Works and Ralph.

Gerry Castro, Deputy Administrator, (516) 239-4600 x1031 (in office not in field)

Site Information: Ronald Goldman, Village of Administrator Village of Lawrence - 196

Lawrence Ave., Lawrence NY, 11519

SPDES/ICIS No. NYR20A336

SIC Code:

4952

### I. INTRODUCTION

On September 14, 2016, the United States Environmental Protection Agency ("EPA") conducted a Compliance Evaluation Inspection ("CEI") of the Village of Lawrence's Municipal Separate Storm Sewer System (MS4) outfalls. The inspection was conducted to assess the dry weather discharge status of Lawrence's MS4 outfalls permitted under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from MS4s (GP-0-15-003) issued by the New York State Department of Environmental Conservation ("DEC"). Discharges from the Village's MS4 are regulated under SPDES Permit NYR20A336. Mr. Daniels was the facility representative on site at the time of the inspection. Credentials were presented to the Village representatives. Weather conditions at the time of inspection were warm and sunny, with no precipitation.

While on site, EPA and facility representatives visited all of the Village's mapped/known outfalls. During the inspection the EPA noted the following concern(s).

#### II. FINDINGS & OBSERVATIONS

#### A. POTENTIAL NON COMPLIANCE ITEMS

Part I.A.2 of the MS4 Permit only authorizes dechlorinated pool water discharges into the MS4. During the inspection EPA detected a chlorinated discharge of pool water into stormwater outfall 5 which is behind 45 Harborview West. The discharge was sampled using a Hach- Free Chlorine DPD kit, with a colorwheel (not an EPA approved method)

but a useful field screening tool. The discharge had a chlorine odor and a free chlorine concentration of about 3 mg/l. Chlorinated discharge was traced back to a house by following the trail of chlorinated water flowing down the street gutters to 134 Harborview South, where a pool cleaning truck belong to Advanced Swimming Pool Service (See photos 751 to 754) was parked. The chlorinated flow was seen entering a catch basin in front of 45 Harborview West which then flowed to SW Outfall No. 5. See aerial image below (the house has pool in the backyard). The Village of Lawrence representatives said that they contacted the pool cleaning service to explain the MS4 rules to them. Please provide EPA with the status of follow up with this pool cleaning company.



#### **B. AREAS OF CONCERN**

- 1. As shown in photos 759 and 760 in attachment 3, the channel leading to stormwater outfall 17 (GPS point 148) there was sediment in the stormwater channel that was in need of cleaning. Village of representatives said that they would clean the sediment form the channel.
- 2. For the outfall labelled as 11A, GPS point 155, photo 764 was an unmapped outfall at the golf course. Please verify if this outfall is part of the MS4 or a non MS4 outfall.

# III. CLOSING

A closing conference was held with Mr. Daniels and the Areas of Concern were discussed.

# IV. ATTACHMENTS

Attachment 1 – Table of Outfalls and Catch Basin Visited

Attachment 2 – Google Earth Pro Aerial images of GPS points collected during inspection

Attachment 3 - Photos

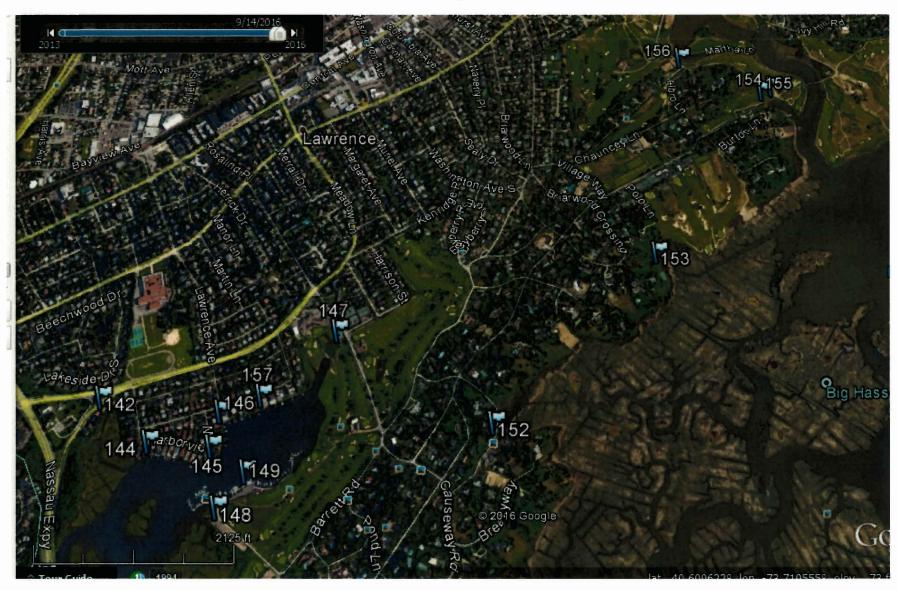
# Attachment 1 – Table of locations of outfalls and catch basins visited in Village of Lawrence 9/13/16

lat	lon	GPS Point	Outfall No.	Lo cation Descripti on	Outfall_obs	Outfall Condition	Amm onia_ mg_l	рН	chlori ne_m g_l	Photo s	Diam eter (inche s)	Follow_Up
40.60567	-73.7364	142	19	Behind 35 Rock Hall Road	Moderate flo duck bill, cle odo	ar flow, no	0.5		0	749, 750	doubl e 36"	None
40.60041	-73.7373	143	20	Catch Basin on West Side (southbo und side) of SR 878, Nassau Express way	Could not ob	serve outfall, f	enced of		y salt ma flow.	rsh. Viev	ved catch	basin, did not see a

lat	lon	GPS Point	Outfall No.	Lo cation Descripti on	Outfall_obs	Outfall Condition	Amm onia_ mg_l	рН	chlori ne_m g_l	Photo s	Diam eter (inche s)	Follow_Up
40.60428	-73.7342	144	5	45 Harborvi ew West	Advanced Sy draining a p chlorine odor a free chlorine (unapprove	test kit with a ed method) of flow traced do	Service wharge had ine with a color who is mg/l a with who is mg/l a with street	was d a HACH heel nd	3	751 to 756	24	Potential Non- Compliance Advanced Swimming Pool Service parked in front of at 134 Harbor View South. Flow traced to SW catch basins on street. Municipal representative said that the Village does not alllow pool drainage into the MS4.
40.60414	-73.7317	145	6	81 to 85 Harborvi ew West	No Discharge						8	None
40.60522	-73.7315	146	7	95 Harborvi ew West	No Discharge,	Partially Subr	nerged			757, 758	36	None
40.60785	-73.727	147	12	Golf Course	12 - No Discha	rge; 15 and 16	drain go		se not M ot MS4	S4, 13 an	d 14 app	ear to drain pond and

lat	lon	GPS Point	Outfall No.	Lo cation Descripti on	Outfall_obs	Outfall Condition	Amm onia_ mg_l	рН	chlori ne_m g_l	Photo s	Diam eter (inche s)	Follow_Up
40.60233	-73.7311	148	17	Channel at Marina	No Discharg	No Discharge but sediment buildup in channel 759,				, 760	Area of Concern - Channel Needs Cleaning	
40.60339	-73.7302	149	18	Marina Bulkhea d	Foamy discharge, smells 0.25 like bay water, Moderate discharge			761, 762	18	None		
40.59581	-73.7225	150	1	282 Edward Bentley	No Dry Weather Discharge, submerged outfall						None	
40.59949	-73.7229	151	2		No Discharge, No SW Outfalls in Pond						None	
40.60487	-73.7204	152	3		No dry weather discharge, viewed catch basin, end of pipes in weeds.						18	None
40.61061	-73.7134	153	4	Prior A	Trickle of Flow		0.25			763	18	None
40.61718	-73.7074	154	11b	Golf Course	Trickle fron	n Duck Bill				765		None
40.61701	-73.7079	<b>155</b>	11A	Golf Course	Sign of Cha	nnelized flow	from roc	ks		<mark>764</mark>	15 · · · · · · · · · · · · · · · · · · ·	Area of Concern – Please provide information on whether this is an MS4 outfall?

lat	lon	GPS Point	Outfall No.	Lo cation Descripti on	Outfall_obs	Outfall Condition	Amm onia_ mg_l	рН	chlori ne_m g_l	Photo s	Diam eter (inche s)	Follow_Up
40.61844	-73.7116	156	9	Rutherfo rd	No Discharge					No.	12	none
40.60574	-73.7299	157	8	207 Harborvi ew South	Trickle fron	n pvc pipe				1.5	18	none
WO 08%												



Attachment 2 - Aerial Image of Outfalls and Catch Basins Lawrence, NY GPS points taken with Garmin eTrex 10 GPS unit June 14, 2016

03CN3749 DSUN3754

Attachment 3 – Lawrence, NY, Municipal Separate Sewer System
Outfall Inspection
September 14, 2016.

Unedited digital photos taken by Murray Lantner, Environmental Engineer, USEPA Region 2, DECA-WCB

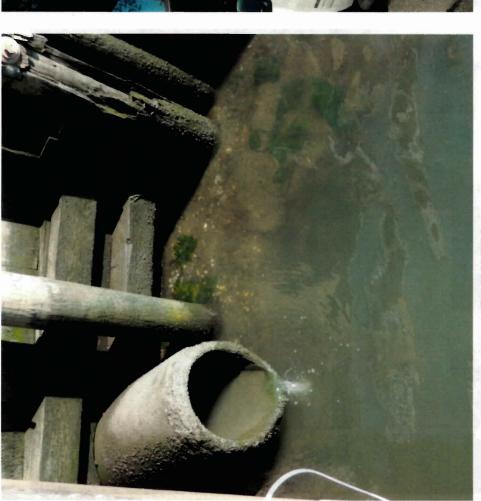




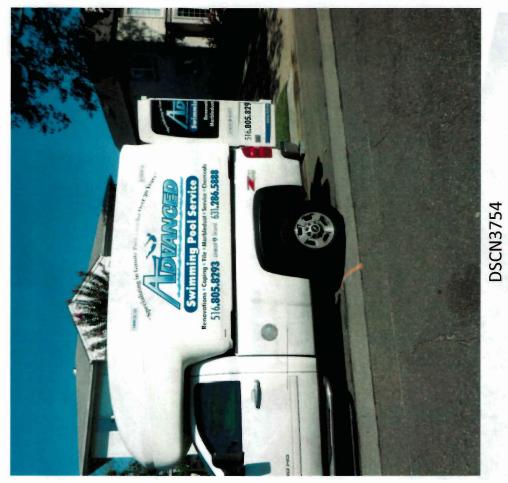


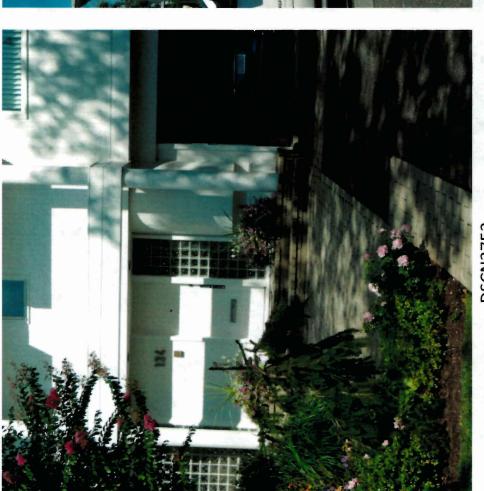
DSCN3749





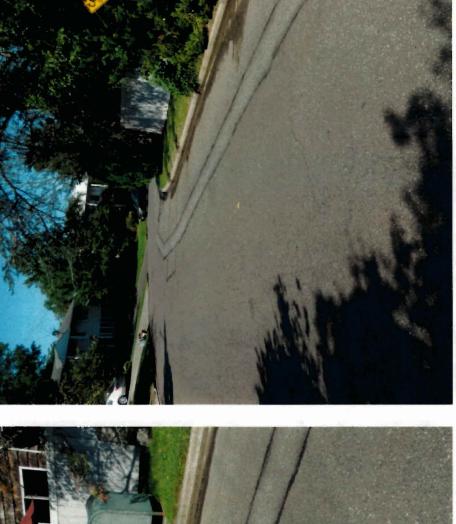
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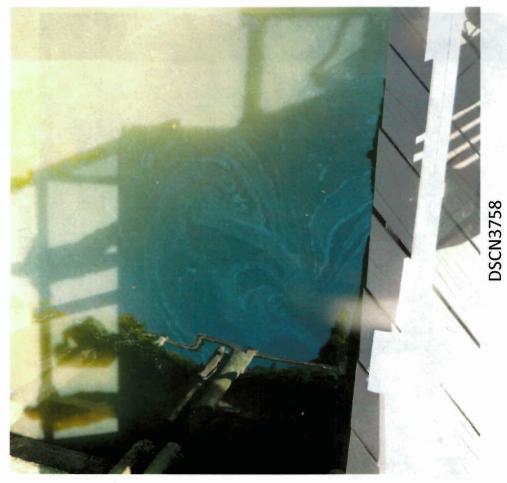
DSCN3753

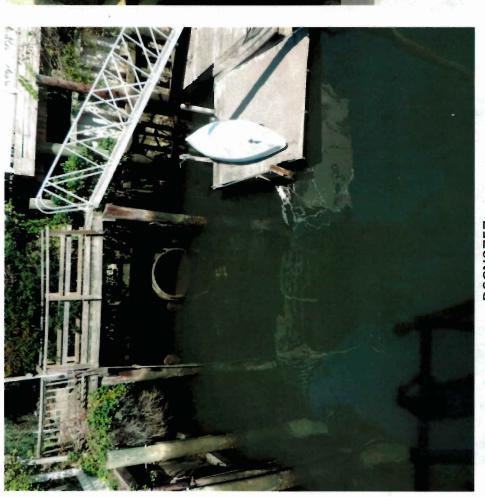




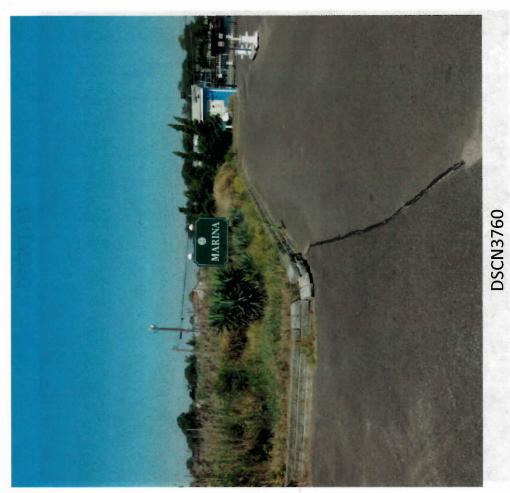


**DSCN3755** 





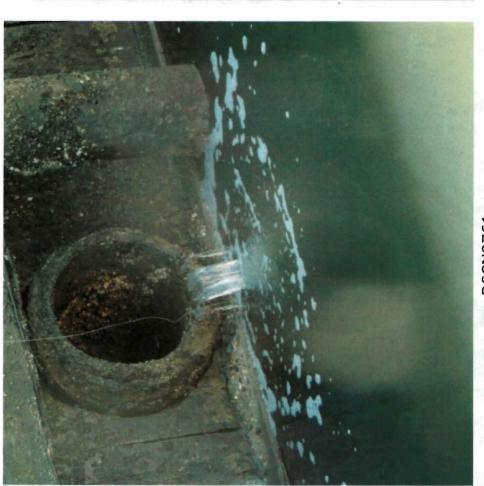
DSCN3757





**DSCN3759** 

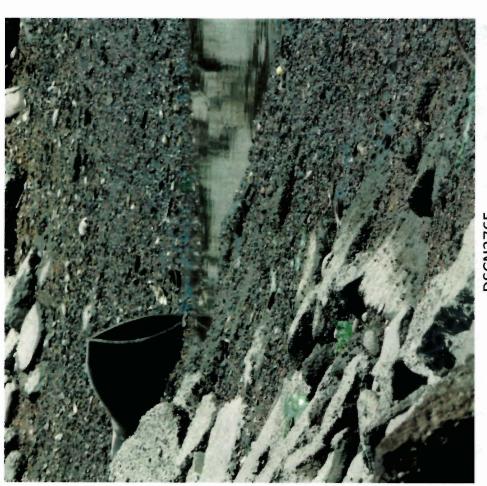




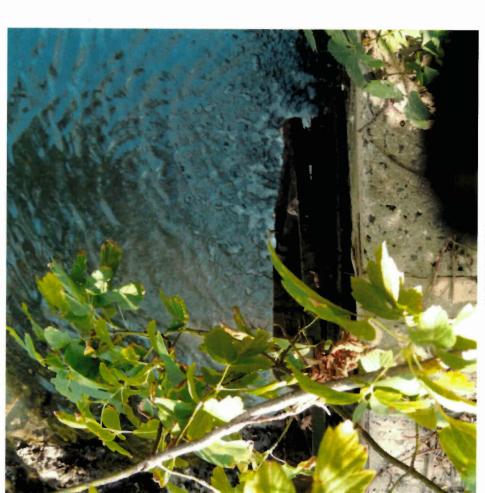
DSCN3761







**DSCN3765** 



DSCN3767

outfall\_5\_6\_7.jpg - Windows Photo Viewer

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